

answer is attached as Exhibit D; (v) a copy of the docket sheet in the state court action is attached as Exhibit E; (vi) a list of all counsel of record, including addresses, phone numbers, and the parties represented is attached as Exhibit F; and (vii) an Affidavit of Lisa Levin attached as Exhibit G.

3. This notice of removal is timely filed under 28 U.S.C. §1446(b) because it is filed within thirty days after Defendant first received a copy of a paper from which it could first be ascertained that the case is one which is or has become removable; *i.e.*, Plaintiff's Original Petition.

4. The other Defendants to this litigation, Veronica Jones and Andre Langston, hereby consent to this removal.

5. The claims asserted against Defendants are civil actions over which this Court has original jurisdiction pursuant to 28 U.S.C. § 1332. At the time this action was commenced, Plaintiffs were, and still are citizens of the State of Texas because they are individual residents of the State of Texas. Defendant is a "Lloyd's Plan" organized under Chapter 941 of the Texas Insurance Code. A Lloyd's Plan is an unincorporated association of underwriters who sell insurance through an attorney-in-fact or other representative.¹ The citizenship of a Lloyd's Plan insurer, like all unincorporated associations, is determined by the citizenship of its members.² Hartford's underwriters are citizens of the states of Connecticut, Massachusetts and Washington.³ Thus,

¹ TEX. INS. CODE §§ 941.001, 941.051-941.052; *Salazar v. Allstate Tex. Lloyd's, Inc.*, 455 F.3d 571, 572 n.1 (5th Cir. 2006); *Royal Ins. Co. of Am. v. Quinn-L Capital Corp.*, 3 F.3d 877, 882 (5th Cir. 1993), *cert. denied*, 511 U.S. 1032 (1994).

² *Royal Ins. Co. of Am.*, 3 F.3d at 882; *Cronin v. State Farm Lloyds*, No. H-08-1983, 2008 WL 4649653, at *2 (S.D. Tex. Oct. 10, 2008); *Massey v. State Farm Lloyd's Ins. Co.*, 993 F. Supp. 568, 570 (S.D. Tex. 1998).

³ Exhibit G, Affidavit of Lisa Levin.

Hartford is a citizen and resident of the states of Connecticut, Massachusetts and Washington for purposes of diversity.⁴ Defendant Jones is a citizen and resident of Georgia. Defendant Langston is a citizen and resident of Illinois.

6. The amount in controversy exceeds \$75,000 as stated in Plaintiff's Petition.

7. The one-year statute of limitation on removal of diversity cases imposed by 28 U.S.C. § 1446(b) does not prevent removal because this action was commenced less than one year ago.

8. Notice to State Court. Pursuant to 28 U.S.C. § 1446(d), Defendants intend to serve written notice of this removal on the state court promptly after filing this Notice of Removal.

FOR THESE REASONS, Defendants hereby effectuates removal of this cause to this Court.

Respectfully submitted,

/s/ Laura J. Grabouski

Laura J. Grabouski

Lead Attorney

State Bar No. 24031595

Brittan L. Buchanan

State Bar No. 03285680

Buchanan DiMasi Dancy Grabouski LLP

9600 Great Hills Trail, Suite 300 West

Austin, Texas 78759

Phone: 512.225.2800

Facsimile: 512.225.2801

Email: lgrabouski@bddglaw.com

Email: bbuchanan@bddglaw.com

ATTORNEYS FOR DEFENDANTS

⁴ See *Royal Ins. Co. of Am.*, 3 F.3d at 882.

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the above and foregoing document was served on counsel of record below via electronic service and/or via facsimile, on September 22, 2015.

Rene M. Sigman
State Bar No. 24037492
Mostyn Law
3810 W. Alabama Street
Houston, Texas 77027
Phone: 713-714-0000
Facsimile: 713-714-1111
Email: rmsdocketefile@mostynlaw.com

_____/s/ Laura J. Grabouski
Laura J. Grabouski